

June 26, 2007

**MINUTES OF THE CITY COUNCIL MEETING HELD JUNE 26, 2007**

A Regular meeting of the City Council of the City of Hopewell, Virginia, was held Tuesday, June 26, 2007, at 5:30 PM in the City Council Chambers, Municipal Building, 300 North Main Street, Hopewell, Virginia.

PRESENT: Steven R. Taylor, Mayor  
Brenda S. Pelham, Vice Mayor  
Christina J. Luman-Bailey, Councilor (arrived at 6:37 PM)  
Curtis W. Harris, Councilor  
Kenneth B. Emerson, Councilor  
E. Randy Sealey, Councilor  
N. Gregory Cuffey, Councilor (arrived at 6:40 PM)

John M. Altman, Jr., Interim City Manager  
Ann M. Romano, City Clerk

ABSENT: Edwin N. Wilmot, City Attorney

Mayor Taylor opened the meeting at 5:30 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey	-	ABSENT (arrived at 5:37 PM)
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Sealey	-	present
Councilor Cuffey	-	ABSENT (arrived at 5:40 PM)

**CLOSED SESSION**

At 5:30 PM **motion** was made by Vice Mayor Pelham, and seconded by Councilor Harris, to Convene into Closed Session to discuss Appointments to Boards and Commissions, in accordance with Virginia Code § 2.2-3711 (A) (1). (This was the night scheduled for School Board interviews for the two vacancies with terms extending from July 1, 2007 through June 30, 2010. Council interviewed incumbent Avon Miles at 5:30 PM, incumbent Ann Williams at 5:50 PM, and candidate Shirl Jefferson at 6:15 PM.) Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

Mayor Taylor called for the roll at 6:30 PM. Roll call was taken as follows:

Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey	-	present
Councilor Harris	-	present

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Councilor Emerson	-	present
Councilor Sealey	-	present
Councilor Cuffey	-	present

### **OPEN SESSION**

At 6:30 PM Council convened into Open Session. Councilors responded to the question: "Were the only matters discussed in the Closed Meeting public business matters lawfully exempted from open meeting requirements; and public business matters identified in the motion to convene into Closed Session?" Upon the roll call, the vote resulted:

Mayor Taylor	-	yes
Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes

### **PUBLIC HEARING - REGARDING THE FEASIBILITY OF AN ALTERNATE ENERGY PRODUCTION FACILITY AT THE EXETER PROPERTY**

Mayor Taylor introduced the subject of the public hearing, the feasibility of an alternate energy production facility at the Exeter property. He encouraged citizens to express their opinion even if only to say yes, I agree, or no, I disagree.

Interim City Manager March Altman provided a brief introduction of the subject. The City has been engaged in an agreement with HDC LLC. The City and HDC are currently in litigation. At the last meeting of City Council on June 12, 2007 administration was instructed to begin due diligence and develop a study of the highest and best use of the Exeter property. The study should be ready in 30-45 days. A PowerPoint presentation was given which included the site in Spain and the site in Hopkinsville, Kentucky, which was recently visited by many members of City Council.

Mr. Altman also introduced Mr. Richter to make a presentation.

Mr. Richter presented a look at the environment. Osage is prepared to:

1. Make a positive impact on the environment.
2. Use a aero effluent process, with net positive to local agricultural. They will run the plant 350 days per year, closing for two weeks for down time and preventive maintenance. The plant will occupy 15-20 acres on the South portion of the site.
3. The plant would be served by grain trucks, rail and local fuel tanker trucks during hours agreed with by City Council.
4. The Plant would be permitted by appropriate local, state and federal authorities and would be subject to those permit processes.

**The Ethanol plant process** uses grain, water, enzymes, heat and fuel for the boiler. The products of the process are: ethanol (E100), 99% pure CO<sub>2</sub>; distillers grains for animal feed; minor volumes of water vapor losses from columns.

**Emissions for proposed Ethanol Process:** most of the heat will be sourced from a third party.

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**Distances from local schools:** One-half (½) mile - no schools within that radius, but City Hall is within that distance.

**Local partners for the facility:** Businesses that could possibly benefit: Dominion Power, Hopewell Cogeneration, etc.

**Truck Traffic:** Route 10 to 295. There could be fines for being in Hopewell's downtown. They will not load certain things on the weekend. They predicted only a 1% increase in truck traffic from 2001 figures. The noise level, at about 85 decibels, will not be noticeable. They will comply with whatever else the City wants.

**Pest Control:** Sanitation; rodent-proofing; and traps.

**Fire Risk:** NFPA Code; maximum 175 feet; nearest house is 750 feet away.

**Estimated Plant Tax Contributions:** \$160 million, \$135 million capital and engineering costs. They will use no boiler and no wastewater facility. \$25 million will go to the City. Fire Hazard Evaluation documents.

**Craig Shealey, President, Osage Bioenergy,** North Carolina and South Carolina. He thanked City Council for having them, and he thanked all the concerned citizens. He clarified some misconceptions. They will begin a formal due diligence process. There is currently a great deal of misinformation about this project in Hopewell. Osage Bioenergy is a sister company of Osage, Inc. They established an LLC in early January 2007. They have been distributing ethanol in the Southeast for 21+ years. They are self-sustaining; and they do business in Virginia, North Carolina and South Carolina. They have evaluated other sites in Virginia, North Carolina and South Carolina. They are presently in discussions with Mecklenburg County, Virginia. There are three cogeneration facilities in Hopewell to provide all of the steam energy they require. They will not be operating a boiler. They hope to work with some or all of the local cogeneration facilities. They hope to reduce the emissions in the area. There will be no odor issues. They anticipate no noticeable smells. They will be producing motor fuel grade ethanol, with zero impact on local ground water and no effluent. There will be no products for human consumption. They will not allow a rodent problem to develop. The maximum safety zone is less than one-half (½) mile, and a 175 ft. fire distance. The long term business plan is to use locally grown barley; with proximity to farm land that lays fallow in winter that could grow this crop. There is a potential for \$50 million or more to local farmers. They will abide by all codes and regulations. The process will be the cleanest and safest. They will be the model anchor tenant and will try to attract others. They will make the facility available for tours to the public, and will work with the Fire Department on a detailed plan, and they will make training available. They will provide any equipment to eliminate any noxious odors. For every tree removed for building, they will replace it with two trees within the City. They will commit an additional pool of funds for the City's choosing.

**Steve Walz, Senior Advisor for Energy Policy, Governor's Office, Commonwealth of Virginia,** The locating of this facility in Hopewell is a cooperative effort with the State. Advantages include that Hopewell is a strategic location in Virginia. There is a built in market 350 million gallons per year in Virginia. There is presently Research and Development in a number of state universities. There are in-state agricultural resources. Mr. Walz reinforced that this is a decision that must be made at the local level and the state does not want to pressure Hopewell.

**Mike Carruth, Project Manager, Economic Development Partnership,** brings companies and communities together. They provide support by getting information.

The public hearing was opened at 7:20 PM.

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**Marion Hebert**, 711 Mansion Drive, Hopewell, (first reminded Council that the Council meeting was due to being at 7:30 PM and she hoped that those individuals present for the public hearing would be allowed to speak.) She has heard farmers say that they will grow what will sell. She feels that this action could cause food prices to soar. She has lived her life in industrial towns and is familiar with many problems such as rodents that do find their ways into peoples' homes; fires; explosions, etc. Location of this plant in our downtown is not aesthetically pleasing. There are pollutants in the steam stacks; odors causing breathing problems; and deposits on vehicles, among other things. **She is opposed to the ethanol plant** and urged Council to think about what they are about to do.

**Debbie Randolph**, 400 Cedar Lane, Hopewell, referred to the Chemical Capital of the South, a name Hopewell was known by in the past. Hopewell has changed. The City is sitting still. We are an industrial town. We cannot afford to only be for industry. This proposed facility is too near two schools and too near homes. Regarding the \$2 million in tax revenue, she is concerned with Councilors' speed and force. There are some ethanol proponents in town and she is interested in the profit they will make. How will this impact Hopewell overall? What are the positives? What about health and well-being? A radio host indicated, referring to Hopewell, that, "beggars can't be choosers." She urged Council to make other sites favorable to businesses coming into Hopewell. Keep the citizens informed. **She is opposed to the ethanol proposal.**

**Earline Allen**, 1818 Stewart Avenue, Hopewell, lived in Hopewell for 34 years. **She supports the ethanol proposal.**

**Cassandra Spencer**, 225 East Broadway, Hopewell, is all for prosperity, but she has a major concern. It is a good thing to bring in the ethanol plant, but not at that location. Ft. Lee is building and preparing for a large increase and Hopewell is revitalizing downtown. **She opposes the ethanol plant downtown.**

**Cheryl Collins**, 600 Brown Avenue, Hopewell, announced that on July 1, 2006 IT Services, a \$2 billion company, will open in Prince George to support local government services. Government Enterprise Solutions, headquartered in Prince George, will open to 600 jobs. It took a team of 100 people years to develop that project. We have gone through a number of City Managers and Interim City Managers in the recent past. She urged Council to slow down. Do more research before making a decision. The Twin River Apartments had no knowledge of this project until today. The project needs more time. **She is all for going green; for ethanol, but not at that site.** She urged that Council pull together a Blue Ribbon Team and see what they can pull. There has been a presentation to the community and the process has not been fair. She has seen positive parts and she had done research. Allow citizens of Hopewell to do research. For an issue this big there are no winners or losers. What is the vision of Council right now and what do you want to leave behind?

**Brenda Harrup**, 303 Ramsey Avenue, Hopewell, has called most of the Council members. She congratulated Mr. Steve Herbert, former Interim City Manager, who put into words her feelings. Ms. Harrup is the Executive Director of Heritage Gardens in Hopewell and she has just found out that she has emphysema. She has three grandsons who live in Hopewell who have asthma. She worries about our air quality. **Ethanol is one plant too many and should not be located at the proposed site.** Maybe somewhere else.

**Eric Jones**, 401 Cedar Lane, Hopewell, **is not against the ethanol plant in Hopewell; just not at the Exeter site.** It is too close to downtown; to the schools; to residents. Trucks will tear up our highways. The Main Street Program in Richmond said it was against their plans to have an ethanol plant so close to Hopewell's downtown. He urged Council to please consider those who live less than one (1) miles from the proposed site. **He would rather see the site sit empty than have an ethanol plant there.**

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**George Elder**, 701 Francis Street, Hopewell, lives eight (8) blocks from the Municipal Building. His mother lived to be 99. Hopewell has lost smoke stacks, and has lost a viable downtown. He owns two buildings within one and a half (1½) blocks from the Exeter site. One year ago, former City Manager Alan Archer discussed with him the finances of the City. Hopewell needs revenue; it has some financial problems. Hopewell is a mill town. Mr. Elder complimented Councilor Sealey who traveled to Hopkinsville, Kentucky and visited the neighbors, industry, Economic Development Office, Chamber of Commerce, etc., about the Ethanol plant, Commonwealth Agri-Energy, located there. Councilor Sealey reported that he received no negative comments. Anything bad would be filtered out in the permitting process. **Mr. Elder favors the ethanol project at the Exeter site.**

**Katherine Podlewski**, 507 North Second Avenue, Hopewell, **favors an industrial project at Exeter.** There are fumes from other plants. She is less worried about the vermin and emissions from the proposed facility than the human weasels scurrying around this town right now.

**Patrice Gilliam**, 1108 Maplewood Avenue, Hopewell, **is in full support of the ethanol plant coming to our City.** It would reduce the unemployment rate. She hears skeletons rattling in closets with discussions of rodents and explosions, etc. Carter G. Woodson School was built on a swamp. Was anyone concerned about black mold? Homes were built on Dellrose Avenue over a landfill. Methane gas is escaping from that landfill, is anyone worried about that? Who is helping the students, and the residents living at Dellrose Avenue? Hopewell already has a raccoon and groundhog population. Hopewell needs money.

**Jimmy Jones**, 2700 River Run Road, asked whether City Council wants industry or commerce because he is confused. The image of Hopewell must change. He has a plan. Citizens of Hopewell do not want it [the ethanol plant]. He urged Council to get the site [Exeter] back. The expansion of Ft. Lee has already begun; things will start happening. **He opposed the ethanol plant** and urged Council to reconsider.

**Martin [Buddy] Mitchell**, 10427 Jordan Parkway, Hopewell, knows that each Council member wants what is best for the City of Hopewell. He feels that they should **proceed with due diligence and continue informing people.** They are doing all of that. Mr. Mitchell's financial interest in Hopewell is that he has two sons and five grandchildren living in Hopewell.

**Wayne Walton**, 534 North Avenue, Hopewell, worked in industry for over 40 years, and his wife did for 30 years, before they retired. His son continues to work in industry. Industry has made a significant investment in the city. He has worked with unions, and is familiar with many regulations. Safety is of paramount concern. **He feels that Council should look into the offer.** If this company does not come here, this is the last shot for the Exeter property. HDC should not end up with the property. Osage is looking at other cities also; but Hopewell has what they want.

**Al Jimison**, 210 Oakwood Avenue, Hopewell, thanked Council for a nice weekend of activities last weekend. Hopewell showed its good side to the rest of the world. He congratulated Herbert Bragg for his efforts. Mr. Jimison then indicated that he has been in the energy business. He is a Compliance Specialist for Columbia Gas. The plants that they bring in are very safe. They try to remove the element of risk.

**Janice Denton**, 807 Smithfield Avenue, Hopewell, comes from a family of five. Her dad worked at Allied for 47 years. Her family worked at Allied. She knows industry. The plants in Hopewell are getting older. **There is an opportunity today to look at a plant that is a clean plant. We need to look at this.**

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**Kathryn C. Weigel**, 105 Summit Court, Hopewell, Ward #3, first addressed the issue of the Lead Center [school]. She urged Council to remember history. She is not anti-ethanol or anti-industry, as long as citizens, resources and the downtown are protected. Learn from our past and take responsibility for our future. **Current ethanol technology will be gone in the next few years.** Is it the highest and best use for the Exeter site?

**Bob Smith**, 3200 Boston Street, Hopewell, **is not against the ethanol plant, just not at that site.** He is not sure it is the answer to the energy problems. He questioned the location near schools, the Hopewell Community Center, downtown, current housing, the Municipal Building and the Post Office. He referred to the City's finances - 25 years and \$5 million. He urged Council to stay the course. Regarding the Lead Center and Carter G. Woodson School, the Lead Center was not listed by the developers. After last Thursday's Hopewell Citizens for Good Government (HCGG) meeting, he asked how many plants this company had built. They have built none yet. This is too important an issue. Take all of these issues, answer them, and inform the public. Do not close the public hearing; carry it over to July if necessary, to allow others to speak.

**Harvey Lloyd**, one of the principal owners of the Lead Center, addressed his proposed project at Sixth and Elm Streets. He **had grave concerns for the** 100+ students who would attend the **Lead Center** [school]. He is concerned about the traffic, about the possible Haz-mat of that traffic, and the safety factor, to name a few. Construction on the Lead Center will begin in the next 30 days and should be completed in April or May 2008.

**James "Jim" Gould**, 104 Peter Francisco Drive, Hopewell, discussed Community Design. He is a University of Virginia student and voiced his support for the City providing communication to inform the public about the proposed ethanol project. He was, however, disturbed about the hasty decision making. He is pro-development. **The ethanol plant is not the best solution for the city.** A dollar amount cannot be put on health concerns. Smoke stacks are unsightly.

**Ed Pappas**, 618 Appomattox Street, Hopewell, is not **opposed to an ethanol plant** in Hopewell. He does, however, have reservations about the location **at the Exeter site.** Ownership of that site should be settled first. An additional 150 trucks will create additional road maintenance in Hopewell. More farm production will cause more run off to the Chesapeake Bay. He has lived in the area for 28 years. Analysts predict an ethanol plant glut in the next five to seven years.

**Jackie Krushefski**, 2404 St. Regis, Chesterfield, member of the Sierra Club, represented 17,000 people in Virginia, who are **interested in renewable energy.** The community continues to be left in the dark. She voiced concerns about the many Closed Sessions held by Hopewell City Council. The tools to make a decision must remain public, and eliminate the secrecy of the process. There needs to be more formal information.

**Valerie Claiborne**, 1801 Arlington Road, Hopewell, on behalf of Vice Mayor Pelham, toured the Hopkinsville, Kentucky plant of Commonwealth Agri-Energy with Hopewell City Council, on June 19/20, 2007. She attended the citizen meeting on June 21. She **urged Council to look at what Osage could do for the community.** Sometimes change is good. Hopewell needs the revenue to grow and get people off public assistance. People with a high school education could work in this industry thereby helping Hopewell citizens secure jobs. She was impressed with what she saw in Kentucky. In another matter, she voiced her dislike for the new road near the library; she feels it is a safety hazard.

**Don Parr**, 104 Christopher Newport Drive, Hopewell, described the very hazardous materials already in tank cars traveling everyday near the Hopewell Community Center, the Lead Center, Carter G. Woodson School, and homes all through town. Hazardous materials were in Hopewell long before talk of

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an ethanol plant. The same is true of trucks in Hopewell; they transport materials that could kill us. **He supports the ethanol plant.**

**Larry Ellis**, 3413 Ivor Street, Hopewell, has worked at Sears for 42 years. He publicly apologized to the two representatives of Osage. They are proposing revenue for our children and grandchildren for the future. To Council: **Don't turn your back on this opportunity!**

**Dianne Smith**, 3200 Boston Street, Hopewell, these developers are not on a humanitarian effort. We may be tired of trying to still the issue of the Exeter site. She urged Council and the developers to be honest with the citizens. She heard that there are many other proposals coming into Hopewell. She urged all of Council to examine their consciences, motives and agendas. **She opposed the ethanol plant proposal.**

**Tommy Wells**, 1004 Smithfield Avenue, Hopewell, **supports the ethanol plant.** He worked in a plant for 40 years before he retired nine years ago. Exeter is the right site for the ethanol plant. Big Box retail did not want Hopewell because the median income was not high enough to support it. The time to act on the ethanol plant is now.

**Rolfe McDaniel**, 309 North Sixth Street, Hopewell, business owner and member of the Board of Directors of the Chamber of Commerce, spoke on a personal basis. He did not understand why business, industry and capitalism are bad things. Without the tax base, we do not have those things that we expect government to provide for us. The developers did a nice job with their presentation. Council can find out whether the developers were correct in what they said. Mr. McDaniel challenged Council to move this City forward. Hopewell has had many offers for the Exeter site and none of them has worked. **He supports the ethanol proposal.**

**Sid Hudson**, 601 North Sixth Avenue, Hopewell, has no personal financial interest in the ethanol project. The alternate to the Exeter site is big retail. Big retail on the Exeter site is a fantasy. The average income in Hopewell is \$37,000. **Hopewell has always been an industrial town and is now an industrial town.** There is just as much honor in that as in anything else.

**Mark Haley**, Director of HRWTF, attended the tour in Hopkinsville, Kentucky with members of City Council. Nothing overly concerned him. It was a clean operation that was very well managed. Council should pursue continued due diligence. He stands ready to work with Council.

Several letters were read into the record from individuals who were unable to attend the public hearing but who wanted their comments to be made known.

Comments for Ethanol Plant Public Hearing, June 26, 2007

We are **Joyce and Michael Pritchard**, 713 Francis Street, Hopewell.

**We support an ethanol plant on the former Exeter site** for the following reasons:

1. We believe Hopewell sorely needs revitalization projects that will bring new jobs and tax revenue into the City. This ethanol plant will bring approximately 50 local jobs and over \$2 million dollars annually to our tax revenues, all without taxpayer contributions to help them get started. This sounds like a good idea to us. We were also pleased to learn that the ethanol plant will maintain existing trees at the site and have negligible to zero emissions.
2. In terms of improving the reputation of Hopewell, we think it would be wonderful to put Hopewell "on the map" as a landmark for the latest "green technology." Not only does it meet a critical

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national need but it supports local farmers who are our nearby neighbors. Plus, it's just more efficient to "grow your own" renewable fuel.

3. As residents of City Point, we live in close proximity to many plants. The plants are and have been the reason-for-being of Hopewell since its inception -- our "bread and butter." If we turn down the idea of the ethanol plant on the reasoning that it would make Hopewell less desirable for "new people," then we may as well close all the other plants to complete a full gentrification of Hopewell into only a bedroom community, because we would be sending a signal to industry that we don't value them. Hopewell is an always has been an industrial town. We think we can capitalize on that fact for a change and be the place where people are proud to live amidst the most advanced "green technology" and come here to take tours and learn about how we can meet our national energy needs in a safe, clean, renewable way.

Thank you for considering this unique opportunity for Hopewell.

*/s/ Joyce Pritchard*

*/s/ Michael D. Pritchard*

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615 Cedar Lane  
Hopewell, VA 23860  
June 24, 2007

Councilor Christina Bailey  
617 Brown Ave.  
Hopewell, VA 23860

Dear Councilor Bailey,

**I support the idea of construction of an ethanol plant on the Exeter Site.** The advantages of such an addition to Hopewell are obvious. Finally, a long dormant and unused piece of property will be used to generate commerce within Hopewell - instead of costing revenue, it will generate revenue. This is a chance for the City of Hopewell to take action on a property that will shore up our treasury, not deplete it, like several past actions have.

As I see it, there are three main arguments against the construction of the plant: First, the plant's proximity to downtown and Carter Woodson-Middle School; Second, the use of the property for industry versus retail or residential development; and Third, the unknown outcome of the upcoming litigation between the City of Hopewell and Harper Development Corporation. I would like to address each argument from my own perspective.

The proposed ethanol plant would be constructed on the footprint of the previous occupant - the Firestone plant. The actual plant would be built on the Northeastern part of the property - literally feet away from other already existing industry, which I would add is much more of a potential danger to our community than an ethanol plant and its inherent dangers could ever be. There would be plenty of real estate between the plant and downtown, 6<sup>th</sup> Street, and Carter Woodson Middle School. If opponents to this project argue that the proposed plant is too close to downtown and the school, then existing industry is too close to downtown and the school, also. It's a difference of a few hundred feet between the proposed ethanol plant and already existing industry! If there were no other industry in Hopewell, then I think this would be a valid argument. However, this argument implied that either existing industry should be removed, or downtown and the school need to be relocated, both of which are absurd. As a resident of City Point, I am well aware of the



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proximity of industry to my residence. I took this into consideration when I bought property in Hopewell. I think every property owner in Hopewell made the same decision. If the thought of industry in close proximity frightens them, what are they doing here in the first place?

The Exeter Site was paid for and cleaned up with taxpayers' money. Several proposals to use the site for non-industrial purposes have been rejected. Why? Probably because IT'S SO CLOSE TO OTHER INDUSTRY! I would certainly not want to buy a townhouse or a condominium when it's literally across the street from Honeywell, and has railroad tracks running through the property! This property as it exists now is absolutely appropriate for industry, and nothing else, unless it's subdivided and the Southeast portions are zoned for residential and retail use. However, that seems to be a pie-in-the-sky solution, as opposed to the tangible solution before us here and now.

The upcoming litigation between Hopewell and Harper Development Corporation is not sure to go either way, but one thing is for sure - it's costing us, the taxpayers, money! Regardless of the outcome of the litigation, it is a lose/lose situation for the city and HDC. Hopewell either owns ANOTHER unused piece of property with no plans for its use, or it has lost another piece of property in which it has invested millions of taxpayers' dollars. HDC is either out of the picture, or it's back at square one in a hostile relationship with a city council that can't make up its mind. Additionally, the losing party is sure to start an appeals process, which will prevent any productive use of the property for an undetermined amount of time - possibly years! However, all of that can be circumvented with a revenue-generating occupant, and Hopewell will be the beneficiary of that revenue. The occupant would be a cutting edged, technologically advanced, and environmentally safe member of Hopewell's industrial community. It is this potential occupant, HOT HDC that is interested in expediting this transaction. This potential occupant will open up shop in another locality and support ITS treasury if we, the City of Hopewell, fail to make the right decision in a timely manner.

This is Hopewell's chance to redeem itself. Recent embarrassing blunders can be atoned for. City Council can restore the community's faith in the fact that they can make a decision that will benefit the community, not rush into a situation that needlessly costs the city a large amount of money.

Personally, I have to admit that I think that opponents of this plan are either misinformed, uneducated about the situation, or oppose it because it threatens personal gain in some way. I am sure that many other registered voters are thinking the same thing. It is time for Council to take action that restores the faith of its constituency, rather than makes its constituency roll their eyes and wonder why Council insists on making decisions that waste money, inhibit true market growth, and aspire to a flawed plan that was championed by a City manager that was run out of town on a rail.

Please cast your vote in favor of the ethanol plant, and feel free to share my views with other council members and citizens of Hopewell. Thank y9ou for your service to our community.

Sincerely,  
*/s/ John Redling*

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300 North Main Street  
Hopewell, VA 23860

Dear Members of Council,

**We** are writing in **support of the proposed ethanol plant for the Exeter site**. The local economic benefits of constructing such a plant in Hopewell are obvious - over \$2 million a year for our tax base, - 50 jobs, not to mention all the indirect benefits from the services needed to operate and maintain the plant. Hopewell's strength and independence were built on industry; this ethanol plant opportunity would help our existing industry and add a new dimension to Hopewell's industrial strength. The ethanol industry will create power for the future - a clean renewable energy source which the state of VA and the whole country will need as we wean ourselves from dependency on foreign countries for fuel.

The regional economic benefits for the agricultural community are great as well. Farmers across Virginia will have a cash crop to boost their income. If we want to keep our farmlands in Virginia, then let's give our farmers a way to thrive.

Hopewell has the opportunity, to help itself, the region, the state, and the country by embracing the ethanol industry. Please don't blow it! Vote "yes" on the ethanol plant!

Sincerely,

/s/ John Rasnick

619 Cedar Lane, Ward #1

/s/ Michael J. Rasnick

2505 City Point Road, Ward #3

/s/ Steve & Diana Rasnick

119 Sherwood Drive, Ward #3

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June 26, 2007 04:48 PM

My name is Bill Scruggs, Project Manager, Agribusiness Development Services, VA Dept. of Agriculture and Consumer Services. I am writing at the request of Hopewell City leaders to comment on our interests and activities in **support of agricultural based renewable energy, and specifically Ethanol, in Virginia.**

I will begin by saying that the Commonwealth of Virginia has an overall interest in the development of the renewable fuels industry in our State. This interest and our efforts involve several of our State Consumer Services, the Department of Mines, Minerals and Energy, and our lead economic development organization, the Virginia Economic Development Partnership. Because of our broad interests in renewable fuels industry development and the recognition of each of our individual agency/organizational areas of support, we have developed a strong working relationship to bring our individual areas of specialization and expertise together in support of our overall bioenergy business development interests. We also view our partnership to include the local economic development organizations and political subdivisions of the Commonwealth that share our interests in the development of the renewable energy industry.

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The Department of Agriculture and Consumer Services has been active in support of agriculturally based renewable energy for several years. One primary basis for our interests is in the support of our agricultural industry, our farmers, our farm service businesses and agricultural supply companies. Agricultural based renewable energy provides needed long-term support for Virginia produced agricultural products. It creates new or enhanced markets for existing products such as corn and small grains, as well as potential new economic opportunities in grains specifically developed for bioenergy such as hullless barley and biomass crops such as switchgrass. Because of these agricultural impacts, bioenergy bears positive economic benefits beyond one specific site or locality, extending across the many rural communities and regions that are home to Virginia's agriculture industry. It supports and enhances farm income, provides new capital investment in equipment, supplies, and services, creates jobs in rural Virginia and enhances our tax base.

Specific to the project currently under consideration, I would like to state that I have had the opportunity to work with Osage for several months on the development and feasibility of a "possible" ethanol plant in Virginia. We have met with many of our agricultural industry leaders, organizations and key University agricultural research and extension specialists. All of these groups have shown strong support for Osage's ethanol business proposal, utilizing several agricultural feedstocks, much of which can be produced in Virginia.

I recognize, understand and respect that any economic development project has to be a sound business investment for a given locality. I also understand that with many projects there can be issues of concern and in some cases, mis-information related to an industry or technology. The Ethanol industry in the US is continually evolving at a rapid pace in many facets. The technology used today is cutting-edge, maximizing energy productivity while reducing the environmental "footprint" of the industry. The new technologies have greatly reduced the energy and natural resource requirements thus providing much greater sustainability. These breakthroughs are recognized by many, including government and the investment community as critical to the long-term development and sustainability of renewable energy.

I hope that this note will be useful to your understanding and decision-making for the project. Though I could not be with you in person because of an out of state business commitment this week, I would be willing to answer any questions that the Hopewell City leadership might have upon my return next week. Thank you.

Bill Scruggs

William P. Scruggs  
Project Manager, Agribusiness Development Virginia Dept. of Agriculture and Consumer Services  
P.O. Box 1163 Richmond, Virginia 23218  
Tel: (804) 786-6911  
Fax: (804) 371-2945  
[William.Scruggs@vdacs.virginia.gov](mailto:William.Scruggs@vdacs.virginia.gov)

There being no other speakers, the public hearing was closed at 9:25 PM. Mayor Taylor called for a 10-minute recess.

The meeting reconvened at 9:45 PM.

## **REGULAR MEETING**

Mayor Taylor opened the regular meeting at 9:45 PM. Roll call was taken as follows:

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Mayor Taylor	-	present
Vice Mayor Pelham	-	present
Councilor Bailey		present
Councilor Harris	-	present
Councilor Emerson	-	present
Councilor Sealey	-	present
Councilor Cuffey	-	present

Prayer was offered by Ward #2 Councilor Rev. Dr. Curtis W. Harris, Pastor, Union Baptist Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

### **CONSENT AGENDA**

**Motion** was made by Councilor Sealey, and seconded by Councilor Cuffey, to approve the Consent Agenda: Minutes: Special Meeting/Economic Development Meeting 6/5/07 and Regular meeting 6/12/07; Pending List; Information for Council Review: [HCIP agenda 5/22/07; LEPC minutes 5/1/07; Virginia 1<sup>st</sup> Cities minutes 11/17/06; Recreation Commission agenda 6/13/07 & minutes 5/9/07; HRWTF Report 6/7/07; School Board minutes 6/14/07; TSB minutes 6/12/07; HRHA agenda 6/11/07 & minutes 3/19/07]; Personnel Change Report; Financial Report; Public Hearings Announcements: none; Routine Approval of Work Sessions: none; Ordinances on second and final reading: Ordinance No. 2007-05 on second and final reading approving the request from the Archaeological Conservancy for an exemption from local real property taxation pursuant to Va. Code § 58.1-3651, on property it owns in the City of Hopewell, to-wit: Kippax Plantation, 999 Bland Avenue (8.44 acres) and Rolfe Lane (.83 acre); Ordinance No. 2007-06 on second and final reading repealing and amending various provisions of the Hopewell City Code Chapter 2, Article III, City Employees, pertaining to the observance of the same paid holiday schedule adopted by the state for its employees currently codified in Virginia Code § 2.2-3300, and City Council's adoption of the "Human Resources Policies and Procedures Manual" dated July 1, 2007, and the Hopewell Human Resources Personnel System; Proclamations/Resolutions/Presentations: none. Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

### **ORDINANCE NO. 2007-05**

An Ordinance granting exemption from local Real Estate Taxation to the Archaeological Conservancy for property located in Kippax Plantation, 999 Bland Avenue, (City Creek 8.44 acres), Farmingdale City Creek, Parcel ID #09-296, and Rolfe Lane (City Creek .83 acre +/-), Farmingdale Section 1, Parcel ID #09-003.

WHEREAS, the Council of the City of Hopewell, Virginia, has received an application on behalf of the Archaeological Conservancy for exemption from local real estate taxation pursuant Virginia Code § 58.1-3651 for two properties owned by it, to wit: Kippax Plantation, 999 Bland Avenue, (City Creek 8.44 acres), Farmingdale City Creek, Parcel ID #09-296, and Rolfe Lane (City Creek .83 acre +/-), Farmingdale Section 1, Parcel ID #09-003; and

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WHEREAS, Council has caused to be published once in a newspaper of general circulation in the City a notice of public hearing to be held to consider this ordinance, which hearing was held on June 12, 2007, and which notice was published on June 1, 2007; and

WHEREAS, the Archaeological Conservancy is currently exempt from Federal income taxation pursuant to Section 501 (c) of the Internal Revenue Code of 1954; and

WHEREAS, a current annual alcoholic beverage license for serving alcoholic beverages has not been issued by the Virginia Alcoholic Beverage Control Board to the Archaeological Conservancy for use on the property which is the subject of the application; and

WHEREAS, no director, officer, or employee of the Archaeological Conservancy is paid compensation in excess of a reasonable allowance for salaries or other compensation for personal services of which such director, officer, or employee actually renders; and

WHEREAS, no part of the net earnings of the Archaeological Conservancy inures to the benefit of any individual; the conservancy receives funding from membership dues, individual contributions, corporations and foundations; and

WHEREAS, the Archaeological Conservancy provides services for the common good of the public. It is the only national non-profit organization that works to preserve significant archaeological sites, including those which are the subject of this application; and

WHEREAS, no substantial part of the activities of the Archaeological Conservancy involve carrying on propaganda, or otherwise attempting to influence legislation, with the exception of legislation directly involved in the protection of archaeological sites such as the Archaeological Resources Protection Act of 1979; and the Archaeological Conservancy does not participate in, or intervene in, any political campaign on behalf of any candidate for public office; and

WHEREAS, the Archaeological Conservancy does not have any rule, regulation, policy or practice that unlawfully discriminates on the basis of religious conviction, race, color, sex, or national origin; and

WHEREAS, the revenue impact to the City of Hopewell and its taxpayers by exempting the property will not be significant; and

WHEREAS, the City Council of the City of Hopewell has examined and considered all of the items contained in Va. Code § 58.1-3651; and

WHEREAS, the assessed value of the properties which are the subject of this application is \$367,300.00, and the property tax on such property for 2006 was \$3,238.80.

NOW, THEREFORE, pursuant to the authority vested in it by Va. Code § 58.1-3651, the Council does hereby grant exemption from real estate taxation to the Archaeological Conservancy for the properties identified as Kippax Plantation, 999 Bland Avenue, (City Creek 8.44 acres), Farmingdale City Creek, Parcel ID #09-296, and Rolfe Lane (City Creek .83 acre +/-) Farmingdale Section 1, Parcel ID #09-003. This exemption is based on, and contingent on, the continued historical and cultural use of the subject properties. The exemption shall become effective immediately upon passage of this ordinance on second and final reading, and shall operate to prospectively grant real estate taxation exemption for the Archaeological Conservancy for the subject properties until such exemption is revoked or is otherwise forfeited by law. In accordance with law, the Archaeological Conservancy shall reimburse the City for the cost of the advertisement of the public hearing on the application for tax exemption.

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**ORDINANCE NO. 2007-06**

An Ordinance repealing and amending various provisions of Hopewell City Code Chapter 2, Article III, City Employees.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL, that the following provisions of Hopewell City Code Chapter 2, Article III, City Employees are hereby repealed:

Sections 2-46, 2-49, 2-50, and 2-52 thru 2-59.

BE IT FURTHER ORDAINED that the following code sections in Hopewell City Code Chapter 2, Article III, City Employees are amended as follows:

Sec. 2-48. Grievance procedure.

~~(a) The city manager shall publish and administer a grievance procedure for the city in accordance with section 15.1-7.1 15.2-1506 et seq. of the Code of Virginia, as approved by the city attorney, and he shall distribute copies of such grievance procedure to all city employees. Such procedure may vary from state guidelines only upon the express approval of the city council.~~

~~(b) The grievance procedure adopted on May 28, 1974, and amended January 27, 1976, is hereby rescinded.~~

Sec. 2-51. Holidays.

~~The following are declared official paid holidays for all city employees:~~

~~(1) New Year's Day.~~

~~(2) Easter Monday.~~

~~(3) Memorial Day.~~

~~(4) Independence Day.~~

~~(5) Labor Day.~~

~~(6) Thanksgiving Day and the day after Thanksgiving.~~

~~(7) Christmas Eve and Christmas Day; provided that, when Christmas Day falls on a Thursday, the day after Christmas will be observed as a holiday, in lieu of Christmas Eve.~~

~~(8) Three (3) personal leave days.~~

The City shall observe the paid holiday schedule adopted by the State for its employees, currently codified in Virginia Code § 2.2-3300.

~~Whenever one of the above holidays falls on a Sunday, the Monday following shall be observed as a holiday. When a holiday falls on a Saturday, the Friday preceding will be allowed as a holiday.~~

Whenever any of such days falls on a Saturday, the Friday next preceding such day, or whenever any of such days falls on Sunday, the Monday next following such day, and any day so appointed by the Governor of the Commonwealth or the President of the United States, shall be a paid legal holiday for City employees.

BE IT FURTHER ORDAINED that the following new code sections be enacted and included in Hopewell City Code Chapter 2, Article III:

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Human Resources Personnel System.

Notwithstanding any other provision of law to the contrary, City Council hereby adopts the “Human Resources Policies and Procedures Manual” dated July 1, 2007, as the Hopewell Human Resources Personnel System, including the Palmer and Cay Classification and Compensation Study, adopted effective July 1, 2003, and all amendments thereto, for city employees.

The classification and pay plan, included in the manual, may be updated from time to time based on a revised classification and pay plan recommended by the city manager and approved by City Council.

Chief Personnel Officer.

The City Manager is hereby designated the Chief Personnel Officer for the City of Hopewell, and shall be responsible for the administration of the “Human Resources Personnel System.”

Permanent Full-Time Employment.

The City Manager shall first receive approval from City Council authorizing a permanent full-time job position before any person is hired as a permanent full-time city employee.

Permanent Full-Time Employment is defined to last more than six months, working 37.5 hours or more per week (2080 hours per year).

Permanent Part-Time Employment.

The City Manager shall be authorized to approve any permanent part-time job position and seek budget funding for permanent part-time positions so authorized.

Permanent Part-Time Employment is defined to last more than six months, working over 480 hours per year, but less than 37.5 hours per week (2080 hours per year).

Temporary or Seasonal Employment.

The City Manager shall be authorized to approve temporary or seasonal job positions, as necessary, to deliver city services.

Temporary or Seasonal Employment is defined to last less than six months, working less than 480 hours per year.

Pay Rates and Fringe Benefits.

Rates of pay shall be administrated as determined in the classification and pay plan then in effect.

Fringe benefits shall be defined as benefits provided the employee, either paid for by the city, or city and employee shared costs. Items to be considered benefits, but not a finite list are: FICA tax contributions, Virginia Retirement System contributions, Worker’s Compensation premiums, unemployment tax premiums, health insurance premiums, short-term and long-term disability premiums and Employee Assistance Program premiums.

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Paid Leave Time

Permanent Full-Time and Permanent Part-Time Employees shall be eligible for Paid Time Off (PTO) as defined in the "Human Resources Personnel System."

**PUBLIC HEARING – TO CONSIDER AMENDMENTS TO THE ZONING ORDINANCE**

The Chesapeake Bay Local Assistance Board found the City of Hopewell's Chesapeake Bay Preservation Area Phase I Program to be non-compliant with the State Chesapeake Bay Act and Regulations. The City Administration proposed amending the City of Hopewell Zoning ordinance by amending Article XVI, Site Plan Requirements, Section D-18, and adding Article XVI, Site Plan Requirements, Section D-23 to address the recommendations provided by the Chesapeake Bay Local Assistance Board.

City Administration recommended that City Council receive public comment and approve the Zoning Amendment on first reading.

**ORDINANCE NO. 2007-XX**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF HOPEWELL, VIRGINIA, BY AMENDING ARTICLE XVI, SITE PLAN REQUIREMENTS, SECTION D-18 and BY ADDING ARTICLE XVI, SITE PLAN REQUIREMENTS, SECTION D-23**

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BE IT ORDAINED BY THE COUNCIL of the City of Hopewell that the Zoning Ordinance of the City of Hopewell, Virginia, be amended as follows:

**BY AMENDING Article XVI, Site Plan Requirements, Section D-18 as follows:**

18. ~~One hundred year floodplain limit studies as required by the Director of Development, The limits of established drainage ditches, manmade open channels, floodplains, preliminary wetland boundaries, conservation areas, the approximate location and surface area of BMP's, and the delineation of the Resource Protection Area (RPA) and the Resource Management Area (RMA) as required by the City's Chesapeake Bay Preservation Overlay District.~~

**BY ADDING Article XVI, Site Plan Requirements, Section D-23 as follows:**

23. Show the provision of clearly marked permanent Resource Protection Area (RPA) signage to be located at every lot along the RPA. The site plan shall also include a RPA sign detail, clearly depicting the design, dimensions, and color of the sign.

This ordinance shall become effective upon the date of its adoption by the City Council. In all other respects said zoning ordinance shall remain unchanged and be in full force and effect.

The Public Hearing was opened at 9:50 PM. There being no speakers, it was closed at 9:50 PM.



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**Motion** was made by Councilor Harris, and seconded by Councilor Bailey, to approve an ordinance on first reading approving the amendment to the City of Hopewell Zoning Ordinance by amending Article XVI, Site Plan Requirements, Section D-18, and adding Article XVI, Site Plan Requirements, Section D-23 to address the recommendations provided by the Chesapeake Bay Local Assistance Board. Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

#### **PUBLIC HEARING – TO CONSIDER AMENDMENTS TO THE SUBDIVISION ORDINANCE**

The Chesapeake Bay Local Assistance Board found the City of Hopewell's Chesapeake Bay Preservation Area Phase I Program to be non-compliant with the State Chesapeake Bay Act and Regulations. The City Administration proposes amending the City of Hopewell Subdivision Ordinance by amending Article 6, Preparation, Approval and Recording of Subdivision Plats, Section 6-9-10, to address the recommendations provided by the Chesapeake Bay Local Assistance Board.

The City Administration recommended that City Council receive public comment and approve the Zoning Amendments on first reading.

#### **ORDINANCE NO. 2007-XX**

#### **AN ORDINANCE TO AMEND THE SUBDIVISION ORDINANCE OF THE CITY OF HOPEWELL, VIRGINIA, BY AMENDING ARTICLE 6, PREPARATION, APPROVAL AND RECORDING OF SUBDIVISION PLATS, SECTION 6-9-10**

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BE IT ORDAINED BY THE COUNCIL of the City of Hopewell that Section 6-9-10 of the Subdivision Ordinance of the City of Hopewell, Virginia, governing the required inclusions in preliminary subdivision plats, be amended as follows:

6-9-10. A map showing the location of the proposed subdivision and/or land development with respect to any designated flood plain district, including information on, but not limited to, the one hundred (100) year flood elevation, boundaries of the flood plain districts, proposed lots and sites, fills, flood or erosion protective facilities, and areas subject to special deed restrictions. *This map shall also delineate the Resource Protection Area (RPA) and the Resource Management Area (RMA) as required by the Chesapeake Bay Preservation Overlay District.*

This ordinance shall become effective upon the date of its adoption by the City Council. In all other respects said subdivision ordinance shall remain unchanged and be in full force and effect.

The Public Hearing was opened at 9:52 PM. There being no speakers, the public hearing was closed at 9:52 PM.

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**Motion** was made by Councilor Harris, and seconded by Councilor Bailey, to approve an ordinance on first reading amending the City of Hopewell Subdivision Ordinance by amending Article 6, Preparation, Approval and Recording of Subdivision Plats, Section 6-9-10, to address the recommendations provided by the Chesapeake Bay Local Assistance Board. Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

#### **COMMUNICATIONS FROM CITIZENS**

There were no speakers.

#### **UNFINISHED BUSINESS – SCHOOL BOARD APPOINTMENTS - TWO APPOINTMENTS FOR TERMS EXTENDING JULY 1, 2007 - JUNE 30, 2010**

The School Board has two terms which will expire on June 30, 2007. City Council must make two appointments on or before June 30, 2007, for a term extending from July 1, 2007 through June 30, 2010.

The Code of Virginia Sec. 22.1-29.1 states that, *“At least seven days prior to the appointment of any school board member pursuant to the provisions of this chapter, one or more public hearings to receive the views of citizens within the school division. The appointing authority shall cause public notice to be given at least ten days prior to any hearing by publication in a newspaper having general circulation within the school division. No nominee or applicant whose name has not been considered at a public hearing shall be appointed as a school board member.”*

Incumbents Avon L. Miles and Ann Williams have agreed to serve again if reappointed. In addition, Shirl A. Jefferson submitted a Talent Bank Resume for consideration of appointment to the School Board.

A Public Hearing was held on June 12, 2007 at which time the names of incumbents Avon Miles and Ann Williams, and candidate Shirl Jefferson were entered into nomination. Interviews were conducted on June 26, 2007 of all candidates.

**Motion** was made by Vice Mayor Pelham, and seconded by Councilor Harris, to reappoint Ann Williams and Avon Miles to the School Board for terms extending from July 1, 2007 through June 30, 2010. Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

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**UNFINISHED BUSINESS - MAYOR TAYLOR - MEET & GREET FOR THE NEW CITY MANAGER (ED DALEY) - APPROPRIATE \$500 TO SUPPORT THIS FUNCTION**

The Chamber of Commerce and the Beacon Theatre have contacted Mayor Taylor about partnering with City Council to host a welcoming reception for Hopewell's new City Manager, Ed Daley. They have proposed Thursday, July 12, 2007 at the Beacon Theatre. The Mayor has suggested appropriating \$500.00 from Council's budget for this function.

The issue was discussed at the meeting held on June 12, 2007 and was tabled at that time until this meeting.

Cheryl Collins, Executive Director of the Beacon Theatre explained that the idea for the reception came from the Chamber of Commerce and the Beacon Theatre. The Beacon Theatre will donate the space. The social event is for the entire community; no alcohol will be served; only punch and cake. It will be held on July 12, 2007, time to be announced.

Mayor Taylor was able to answer the questions raised by Councilor Harris at the last meeting on June 12, 2007.

**Motion** was made by Councilor Sealey, and seconded by Councilor Emerson, to resolve to appropriate \$500.00 from Council's Miscellaneous Budget for the welcoming reception for Hopewell's new City Manager, Ed Daley, on Thursday, July 12, 2007 at the Beacon Theatre. Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

**CITIZEN/COUNCILOR REQUEST – COUNCILOR CUFFEY - PROPOSAL TO AMEND/CHANGE SEC. 25-4 (CURFEW OF CERTAIN MINORS) OF THE HOPEWELL CITY CODE IN ACCORDANCE WITH VIRGINIA STATE CODE § 15.2-926 TO LOWER THE CURFEW FOR ANY CHILD (17) YEARS OF AGE OR YOUNGER BETWEEN 10:00 PM AND 6:00 AM**

Councilor Cuffey recommended that City Council consider a proposal to Amend/Change Sec. 25-4 (Curfew of certain minors) of the Hopewell City Code in accordance with VA State Code § 15.2-926 to lower the curfew for any child (17) years of age or younger between 10:00 PM and 6:00 AM.

**Motion** was made by Councilor Cuffey, and seconded by Councilor Sealey, to approve an ordinance on first reading to Amend/Change Sec. 25-4 (Curfew of certain minors) of the Hopewell City Code in accordance with VA State Code § 15.2-926 to lower the curfew for any child (17) years of age or younger between 10:00 PM and 6:00 AM.

Councilor Cuffey raised this issue because of teenage crime in our City. Last summer there seemed to be a rash of more juvenile conflicts during the summer months. He discussed these issues with Avon Miles, Juvenile Intake Officer, and Sheriff Greg Anderson. Councilor Cuffey wants to get a handle on crime.

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Councilor Harris is not opposed to the proposal, but he felt there should be a public hearing so that citizens could be informed. He **amended the motion** to schedule a Public Hearing on Tuesday, July 10, 2007, at 7:30 PM to receive public comments regarding a proposal to Amend/Change Sec. 25-4 (Curfew of certain minors) of the Hopewell City Code in accordance with VA State Code § 15.2-926 to lower the curfew for any child (17) years of age or younger between 10:00 PM and 6:00 AM. The amendment was accepted by the maker and the seconder.

DISCUSSION: Council should hear comments from the Police Chief; see Police Department Fact Sheets for the past year; and consider how to enforce the curfew. Legislation ties the hands of local law enforcement. This is a tool that the Police Department can use to address youth and violence issues in neighborhoods. It is difficult to determine whether a youth is 12 or 18 at first glance. There was some Council concern about targeting particular neighborhoods. All youth must be treated the same. Have the Police Chief and some officers come and give Council some examples of what is going on in the community. Two years ago there was a similar suggestion and the then-Police Chief said he could take care of it with other methods. However, the problem continued.

Upon the roll call on the amended motion, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

**REGULAR BUSINESS – REQUEST SUBMITTED TO SUBDIVIDE A 1.910 ACRE PARCEL INTO THREE (3) LOTS FORMING LOTS 1, 2, AND 3, CITY CREEK SUBDIVISION (INGRAM/SULLIVAN)**

The City Administration has received a request from Ingram and Associates on behalf of J. W. Sullivan to subdivide a 1.910 acre parcel of land into three (3) lots. The property is zoned R-2, Medium Density Residential, and is located off of Jackson Farm Road and Wythe Street. One of the proposed lots currently has an occupied single-family detached dwelling located on it served by public water and sewer. The remaining two (2) lots are proposed for the development of single-family detached dwellings. Each of the proposed three (3) lots meets the minimum lot area and width requirements of the R-2 zoning district.

City Administration recommended approval of the request. The Hopewell Planning Commission reviewed the request at its June 7, 2007 meeting and has recommended approval of the request to City Council.

J. B. Armstrong of Ingram and Associates was available to answer any questions. They have proposed two-story houses with three bedrooms and two baths.

**Motion** was made by Councilor Sealey, and seconded by Councilor Cuffey, to approve the Subdivision Plat Review-request to subdivide a 1.910 acre parcel of land into three (3) single-family lots, for property zoned R-2, Residential, Medium Density located off of Jackson Farm Road and Wythe Street. Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes

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Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

**REGULAR BUSINESS – ANCHOR POINT RESUBDIVISION REQUEST - 75 TOWNHOUSE LOTS FORMING SECTION C, ANCHOR POINT SUBDIVISION**

The City Administration has received a request from Anchor Point Ventures, LLC to subdivide a 29.03 acre parcel of land into seventy-five (75) lots for development as townhouses. The property is zoned PUD/R-4, Planned Unit Development/Residential Apartments, and is located off of Anchor Point Boulevard. The lots will be served by public water and sewer and will be located off of Eagle Drive. The proposed lots meet the minimum lot area and width requirements of the zoning district and the proffered conditions approved by City Council.

City Administration recommended Council approval of the request.

The Hopewell Planning Commission reviewed the request at its June 7, 2007 meeting and recommended approval of the request to City Council. City Council approved an amendment to the Plan of Development (POD) with proffered conditions at the April 25, 2006 Council meeting. The POD was amended to include 53 single-family detached dwellings, 155 townhouse units (100 - 1600 square foot minimum units and 55 - 1900-2400 square foot units), and four (4) additional high-rise condominium buildings.

Mr. Ayers was available to answer any questions. When asked when Council would see some homes, Mr. Ayers responded that the projected closing is July 5 or 6. Work is scheduled to begin by July 15-16.

**Motion** was made by Councilor Emerson, and seconded by Councilor Sealey, to resolve to approve the request to subdivide a 29.03 acre parcel into seventy-five (75) townhouse lots forming Section C, Anchor Point Subdivision. Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	NO
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

**REGULAR BUSINESS – DISCLOSURE AGREEMENT & RESOLUTION - RIVERSIDE REGIONAL JAIL AUTHORITY**

Resolution of the City Council of the City of Hopewell, Virginia, regarding bonds to be issued by the Riverside Regional Jail Authority.

Staff recommended that City Council adopt the resolution authorizing the Continuing Disclosure Agreement, Authorizing of Information for Preliminary Official Statement and Official Statement, and Approval of Other Instruments.

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Rule 15c2-12, as promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, to obtain written undertakings from certain obligated persons, within the meaning of the Rule, to provide certain financial data and information to certain entities from time-to-time.

Hopewell has been asked to enter into an agreement to provide the financial data and information required by the Rule and, therefore, has been asked to enter into an agreement to provide the financial data and information required by the Rule.

The RRJA has deemed it to be desirable to finance certain improvements to expand the Facility to accommodate more prisoners and related financing costs by the issuance of its Jail Facility Revenue Bonds, Series 2007 and its Jail Facility Revenue Notes Series 2007, and together with the Series 2007 Bonds.

**Motion** was made by Councilor Emerson, and seconded by Councilor Harris, to resolve adopt the resolution authorizing the Continuing Disclosure Agreement, Authorizing of Information for Preliminary Official Statement and Official Statement, and Approval of Other Instruments. Upon the roll call, the vote resulted

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Councilor Sealey	-	yes

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF HOPEWELL, VIRGINIA, REGARDING BONDS  
TO BE ISSUED BY THE RIVERSIDE REGIONAL JAIL AUTHORITY**

The City of Hopewell, Virginia (the “Locality”), is a member of the Riverside Regional Jail Authority (the “Authority”), a political subdivision duly organized and existing under Chapter 726 of the Acts of Assembly of Virginia of 1990. The Authority owns and operates regional jail facilities (the “Facility”) located in the County of Prince George, Virginia.

The Authority has deemed it to be desirable to finance certain improvements to expand the Facility to accommodate more prisoners and related financing costs by the issuance of its Jail Facility Revenue Bonds, Series 2007 (the “Series 2007 Bonds”) and its Jail Facility Revenue Notes, Series 2007 (the “Series 2007 Notes” and, together with the Series 2007 Bonds, the “Bonds”).

Rule 15c2-12 (the “Rule”), as promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended, requires the underwriters for publicly-sold obligations, such as the Bonds, to obtain written undertakings from certain obligated persons, within the meaning of the Rule, to provide certain financial data and information to certain entities from time-to-time.

The Locality, in its role as a member jurisdiction of the Authority, is an obligated person for the purposes of the Rule and, therefore, has been asked to enter into an agreement to provide the financial data and information required by the Rule. Such an agreement will be in a form similar to the draft of the Continuing Disclosure Agreement (the “Continuing Disclosure Agreement”) presented to this meeting of the City Council of the City of Hopewell, Virginia (the “Governing Body”). Further, as a member of the

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Authority, the Locality will be asked to provide certain information, including its audited financial statements, to the Authority for inclusion in an offering document to be circulated to investors in connection with the offering and issuance of the Bonds (the "Preliminary Official Statement").

The Governing Body is willing to enter into the Continuing Disclosure Agreement and to provide the information for the Preliminary Official Statement.

**NOW, THEREFORE,** be it resolved by the City Council of the City of Hopewell, Virginia:

**1. Authorization of Continuing Disclosure Agreement.** The Continuing Disclosure Agreement, in substantially the form provided to the Governing Body, is approved. The listing of information to be provided by the Locality annually will be set forth in the Continuing Disclosure Agreement, as indicated by Section 2(a) (ii) in the form of the Continuing Disclosure Agreement provided to the Governing Body. The information to be provided pursuant to Section 2(a) (ii) will be of the same type included in the Locality's appendix attached to the Official Statement dated April 23, 2003, used in connection with the offering of the Authority's Jail Facility Revenue Bonds, Series 2003.

The City Manager and the Director of Finance (the "Authorized Officers"), any of whom may act, are each authorized to execute and deliver the Continuing Disclosure Agreement to the underwriters of the Bonds with such changes, insertions or omissions (including the insertion of the information required to be updated annually, as described in the prior paragraph) as may be approved by any of them, whose approval will be evidenced conclusively by the execution and delivery thereof. The Clerk of the Governing Body is further authorized to affix and attest the seal of the Locality to the Continuing Disclosure Agreement, should that be requested by another party.

**2. Authorization of Information for Preliminary Official Statement and Official Statement.** The Authorized Officers are each authorized and directed to work with the Authority to provide information with respect to the Locality, including its audited financial statements, that will be appropriate for inclusion in the Preliminary Official Statement. The information to be provided shall be of the same type included in the Locality's appendix to the Official Statement dated April 23, 2003, used in connection with the offering of the Authority's Jail Facility Revenue Bonds, Series 2003. The Authorized Officers are each authorized and directed to provide information with respect to the Locality, including its audited financial statements, for inclusion in the final Official Statement with respect to the Bonds, which information will be substantially similar to the information in its respective appendix to the Preliminary Official Statement, with revisions necessary since the date of the Preliminary Official Statement and such related matters as may be necessary or appropriate to incorporate therein. The underwriters of the Bonds are authorized to include the information provided by the Locality in accordance with this Section, including the Locality's audited financial statements, in the Preliminary Official Statement and Official Statement distributed in connection with the offering and issuance of the Bonds.

**3. Approval of Other Instruments.** The Authorized Officers are each authorized and directed to execute and deliver on behalf of the Locality, and, if requested by another party, they are authorized to affix and attest the seal of the Locality, to such other instruments, documents or certificates, and to do and perform such things and acts, as they deem necessary or appropriate to carry out the transactions authorized by this Resolution or contemplated by the Bonds or the Continuing Disclosure Agreement. All of the foregoing, previously done or performed by such officers of the Locality, are in all respects approved, ratified and confirmed.

**4. Effective Date.** This Resolution shall take effect immediately upon its adoption.

Adopted: June 26, 2007

June 26, 2007

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## CONTINUING DISCLOSURE AGREEMENT

This Continuing Disclosure Agreement (the "Disclosure Agreement") is executed and delivered by the City of Hopewell, Virginia (the "Locality"), in connection with the issuance by the Riverside Regional Jail Authority (the "Authority") of its \$ \_\_\_\_\_ Jail Facility Revenue Bonds, Series 2007 (the "Series 2007 Bonds") and its \$ \_\_\_\_\_ Jail Facility Revenue Notes (the "Series 2007 Notes" and, together with the Series 2007 Bonds, the "Bonds"). The Locality is one of the member jurisdictions of the Authority. The Locality hereby covenants and agrees as follows:

**Section 1. Purpose of the Disclosure Agreement.** This Disclosure Agreement is being executed and delivered by the Locality for the benefit of the holders of the Bonds and in order to assist the underwriters initially purchasing the Bonds (the "Underwriters") in complying with the provisions of Section (b)(5)(i) of Rule 15c2-12 (the "Rule"), promulgated by the Securities and Exchange Commission (the "SEC") under the Securities Exchange Act of 1934, as the same may be amended from time to time, by providing certain annual financial information (the "Continuing Disclosure").

**Section 2. Annual Disclosure.**

(a) The Locality shall provide, or cause to be provided through a dissemination agent appointed by the Locality (the "Dissemination Agent"), annually certain financial information and operating data in accordance with the provisions of Section (b)(5)(i) of the Rule, as follows:

- (i) Audited financial statements of the Locality, prepared in accordance with generally accepted accounting principles (GAAP); and
- (ii) The operating data with respect to the Locality set forth in Appendix \_\_ of the Authority's Official Statement for the Bonds dated \_\_\_\_\_, 2007, in the section entitled "Tax Base Data."

If the financial statements filed pursuant to subsection (a)(i) above are not audited, the Locality shall file such statements as audited when available.

(b) The Locality shall provide, or cause to be provided through a Dissemination Agent, annually the financial information and operating data described in subsection (a) above (the "Annual Disclosure") by April 1 of each year, reflecting the financial information and operating data for the Locality as of the end of the Locality's preceding fiscal year. The first such report shall be due by April 1, 2008, for the fiscal year ending June 30, 2007. Each such report shall be provided to each nationally recognized municipal securities information repository ("NRMSIR") and to the appropriate state information depository, if any then exists ("SID").

(c) Any portion of the Annual Disclosure may be included by specific reference to other documents previously provided to each NRMSIR and to the SID or filed with the SEC; *provided*, that any final official statement incorporated by reference must be available from the Municipal Securities Rulemaking Board (the "MSRB").

(d) The Locality shall provide, or cause to be provided through a Dissemination Agent, in a timely manner to each NRMSIR or the MSRB and to the SID notice specifying any failure of the Locality to provide the Annual Disclosure by the date specified.

**Section 3. Termination.** The covenants and obligations of the Locality specified in Section 2 will terminate upon the redemption, defeasance (within the meaning of the Rule) or payment in full of all the Bonds.

**Section 4. Amendment.** The Locality reserves the right to modify its obligations contained in Section 2 without the consent of bondholders; *provided*, that such modification complies with the Rule as



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it exists at the time of modification. The Locality shall within a reasonable time thereafter send to each NRMSIR and the SID a description of such modification(s).

**Section 5. Defaults.**

(a) If the Locality fails to comply with any covenant or obligation regarding Continuing Disclosure specified in this Disclosure Agreement, the Authority and any holder (within the meaning of the Rule) of Bonds then outstanding may, by notice to the Locality, proceed to protect and enforce its rights and the rights of the holders by an action for specific performance of the Locality's covenant to provide the Continuing Disclosure.

(b) Notwithstanding anything herein to the contrary, any failure of the Locality to comply with any obligation regarding Continuing Disclosure specified in this Disclosure Agreement (i) shall not be deemed to constitute an event of default under the Bonds or the documents providing for the issuance of the Bonds and (ii) shall not give rise to any right or remedy other than that described in Section 5(a) above.

**Section 6. Additional Disclosure.** The Locality may from time to time disclose certain information and data in addition to the Continuing Disclosure. Notwithstanding anything herein to the contrary, the Locality shall not incur any obligation to continue to provide, or to update, such additional information or data.

**Section 7. Beneficiaries.** This Agreement shall inure solely to the benefit of the Locality, the Authority, the Underwriters and the holders from time to time of the Bonds, and shall create no rights in any other person or entity.

**Section 8. Governing Law.** This Disclosure Agreement will be construed and enforced in accordance with the laws of the Commonwealth of Virginia.

Dated: \_\_\_\_\_, 2007.

CITY OF HOPEWELL, VIRGINIA

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**REGULAR BUSINESS - BUDGET AMENDMENT RESOLUTION - SCHOOLS**

The Hopewell School Board has requested City Council amend their School Operating Fund School Bus/Building Replacement Fund to allow the supplemental expenditures following the adoption of the original budgets. The School Board has already approved its resolution.

Monies have been identified to come from the School Operating Fund and School Bus/Building Replacement Fund for FY 2006-2007.

**Motion** was made by Vice Mayor Pelham, and seconded by Councilor Harris, to resolve to approve a School Budget amendment resolution to amend their School Operating Fund School Bus/Building Replacement Fund to allow the supplemental expenditures following the adoption of the original budgets by \$257,165. Upon the roll call, the vote resulted

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes

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Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Councilor Sealey	-	yes

**SCHOOL BUDGET RESOLUTION AMENDMENT  
FISCAL YEAR 2006-2007**

WHEREAS, at the meeting of the City Council of the City of Hopewell held on June 26, 2006, an amended budget request was introduced in its complete form from School Board; of which \$257,165 is requested to be appropriated and,

WHEREAS, sufficient funds exist in the respective fund balance reserve account;

BE IT, HEREBY, RESOLVED by the City Council of the City of Hopewell:

Sec. 1 The following designated funds shall be appropriated from the designated reserves to operate City School services:

School Operating Fund-014:

Additional Revenues .....	\$256,831
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Appropriations:

School Operations .....	\$256,831
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School Bus/Building Fund-063:

Use of Reserve Funds.....	\$334
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Appropriations:

School Facilities .....	334
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**REGULAR BUSINESS - DIRECTOR OF FINANCE, ELESTEEN HAGER, AMENDMENT TO  
THE CITY COUNCIL MINUTES DATED MAY 22, 2007 - CDBG BUDGET**

On May 22, 2007, City Council approved the FY 2007/2008 Community Development Block Grant (CDBG) Budget. However, at that time the budget numbers were not included. It is appropriate, therefore, that the minutes are amended to reflect the numbers budgeted within the CDBG budget for the 2007/2008 year.

Councilor Harris questioned Friendship Baptist Church not being listed. The City Manager explained that they were not recommended for funding. Their requested amount was not available (\$168,000).

**Motion** was made by Vice Mayor Pelham, and seconded by Councilor Bailey, to resolve to amend the minutes of the City Council meeting dated May 22, 2007 to include the figures for the FY 2007/2008 CDBG Budget. Upon the roll call, the vote resulted

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes

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Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Councilor Sealey	-	yes

# **COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS (FUND 52)**

## **TOTAL CDBG ALLOCATION - \$218,552**

	<u>Requested (\$)</u>	<u>Recommended (\$)</u>
<b>Public Service (15% of Grant or \$32,782 max.)</b>		
Rainbow Summer Program	12,000	5,000
CARES Homeless Shelter	10,000	6,000
Hopewell-Prince George Healthy Families	15,400	6,000
The James House	5,000	2,782
The Boys & Girls Club of Virginia`	10,000	4,000
Hopewell Respite Care Group Program	10,000	4,0000
Hopewell Youth Sport League Registration	15,000	2,000
Hopewell Redevelopment & Housing Authority Fun Time Program	5,000	3,000
Foster Grandparents Program	15,000	0
<b>Program Administration and Planning (20% of Grant or \$43,710 max.)</b>		
CDBG Administration & Planning	43,710	43,710
<b>Housing Rehabilitation &amp; Spot Blight</b>		
HRHA - Langston Park	50,000	0
Friendship Baptist Church Community Development Corporation: Housing Rehab for Arlington Road Corridor	168,000	0
Elder Homes: City Wide Emergency Repair Program	28,000	28,000
<b>Public Facilities</b>		
Community Center Tennis Court Replacement	63,300	63,300
Metal Siding Replacement Community Center Pool	128,500	0
North 14 <sup>th</sup> Avenue Improvements	30,000	0
Berry Street	50,000	50,000
Sunnyside Avenue	42,000	0
Waverly Street	150,000	0
Liberty Street	50,000	0
2600 Block of Boston Street	n/a	n/a
19 <sup>th</sup> Avenue	n/a	n/a
1800 Block of Sunnyside Avenue (turn-around)	n/a	n/a
<b>Uncommitted Funds<sup>1</sup></b>		760
Total CDBG Funds:	\$909,910	\$218,552

<sup>1</sup> These funds are held in reserve until City Council reviews the projects.

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**REGULAR BUSINESS - AUTHORIZATION FOR CITY MANAGER TO EXECUTE AGREEMENT FOR BLUFF'S SECTION 8 CONVERSION VOUCHERS**

The City of Hopewell and the Hopewell Redevelopment and Housing Authority (HRHA) agree in a cooperative effort to issue Section 8 Conversion Vouchers to no more than 103 residents at The Bluffs apartments.

The City Administration recommends City Council authorize the City Manager to execute an agreement between the City and HRHA regarding up-front costs associated with the issuance of Section 8 Conversion Vouchers.

The HRHA Board of Commissioners elected to support City Council by applying to the U. S. Department of Housing and Urban Development (HUD) for 103 Section 8 Conversion Vouchers to distribute to residents of The Bluffs. However, their action is contingent upon the City of Hopewell and the HRHA entering into an agreement regarding up-front costs. The total amount of housing assistance payments to be provided by HUD should not exceed \$25,000.

**DISCUSSION:** Martin Blaney, Director of the Hopewell Redevelopment and Housing Authority was available to answer questions. He indicated that application for the vouchers would be made to HUD on June 27, 2007, and it is expected that HUD should handle the application fairly quickly. Approval is expected within three weeks. The process should be completed by September 28, 2007. After issuance of the vouchers, residents have 60 days to find new residence. Mr. Altman indicated that a letter from the City will go to the residents very soon giving them all the information.

There was discussion of how many houses HRHA has available in Hopewell. There are 4,000 rental units with approximately 80 vacancies. Some residents will choose not to stay in Hopewell once they receive their vouchers. Many Bluffs residents have come from other localities and may choose to return to those localities. *The only way that the HRHA would disallow anyone from relocating within Hopewell is if they owe money to the Housing Authority or if they have a criminal history.* Residents living at The Bluffs were required to satisfy the qualifications of HUD. Therefore, they should not have had criminal records if they lived there in the first place.

There was concern among some Councilors about the agreement that the City entered into with The Bluffs. The Hopewell Housing Authority was not involved in that agreement at the beginning. There was discussion of whether the City would have to withdraw the proposal that was entered into with HUD. The City has assumed the Section 8 contract which expires on September 28 2007. The subsidy goes to the owner.

*After continued discussion, Mayor Taylor announced that the City would provide to the Bluffs tenants five-hundred dollars (\$500.00) relocation assistance to each occupied unit at The Bluffs at whatever time they move out. This action supersedes the action taken by City Council on March 27, 2007 wherein the relocation assistance was authorized "at the expiration of the HAP contract."*

**REGULAR BUSINESS - APPOINTMENTS TO BOARDS & COMMISSIONS**

**Motion** was made by Councilor Cuffey, and seconded by Councilor Sealey, to reappoint Mayor Steven R. Taylor to the Virginia's Gateway Region for a term extending through September 30, 2008. Upon the roll call, the vote resulted

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes

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Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes
Councilor Sealey	-	yes

### **REPORT OF COUNCIL COMMITTEES**

Councilor Emerson reported that he and Councilor Bailey attended the Crater MPO meeting on Thursday which funded two of the 19 projects at Ft. Lee for its expansion.

### **REPORTS OF CITY COUNCIL MEMBERS**

Councilor Cuffey voiced his appreciation for the public hearing process. The timeline goes back to the last Council meeting (June 12, 2007). The first time they heard the name Osage was at the last meeting. He did not understand how people could say that Council did things in Closed Session. He recorded 18 yes opinions, eight no opinions, and three undecided during the ethanol public hearing. He appreciated all the feedback. He announced that he would call a Special Meeting by the end of this week to discuss moving forward with negotiations with HDC LLC, to free the property of litigation, do what is legally necessary for Osage to have a clear path to the Exeter property and to authorize/direct the City Attorney to act accordingly.

Councilor Sealey reported on two events last weekend. The Bike Virginia event at Weston Manor was great! And Saturday was the Taste of Hopewell downtown with carriage rides, vendors, food, etc., and it was excellent. He lifted a copy of the front page of the Progress Index with a picture of his 8-year old daughter Colby at the Taste of Hopewell, of whom he and his wife Cindy were very proud.

Councilor Emerson enjoyed the weekend also. Bike Virginia was great. Regarding the ethanol public hearing, he enjoyed parts of it. There is already talk of a Special Meeting. He indicated that Council has been requested by the new City Manager, Ed Daley, to hold off on this and to not jump to any conclusions. Council was asked to allow administration to look at the best use for this property. All of Council has seen the opportunity available at Exeter, especially with Mr. Steve Herbert, former Interim City Manager. The proposed hotel at the old Patrick Copeland site may withdraw if the ethanol plant is located on the Exeter site. The Lead Center [school] has cleared land with plans to move in in April 2008. The shortsightedness of this City Council for opportunities in Hopewell is pathetic. Manufacturing ethanol is a short-term industry by all accounts. BRAC broke ground Monday at Ft. Lee on \$2 billion of growth renovation. Hopewell has Cameron Landing, Anchor Point and other redevelopment beginning. Ethanol is taking the low road. He counted 13/13 at the public hearing until the letters were read. Some councilors solicited those letters. There is a split City Council. He said publicly to the new City Manager to come and put Council back together. He will be offended if a Special Meeting is called while he is on vacation and he is leaving on vacation on Wednesday morning, June 27, 2007 and will be away through July 7, 2007. It has nothing to do with the HDC agreement. Please do not make any decisions at this time. Allow Mr. Daley to come in and show us his leadership. Let's make the right decision. He wished everyone a nice Fourth of July.

Councilor Bailey was unable to attend all of the celebrations last weekend due to prior family obligations. She attended the last hour of Saturday evening's Taste of Hopewell. She applauded the efforts of Herbert Bragg and Donna Tolliver-Walker for all of their hard work. She reported on the successful outdoor movie on Monday, June 25, "Happy Feet," sponsored by the Sierra Club, the Kiwanis Club, ARLS and the Downtown Partnership Committee. They are planning to do more. She expressed her appreciation for the presentations at this meeting. She did not feel it was appropriate to make insinuations

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about a legitimate company. This project requires lots more time and there is lots more information to find out.

Councilor Harris reported that he went to visit the ethanol plant, Commonwealth Agri-Energy, in Hopkinsville, Kentucky. He noticed lots of silos on that site. The site is about two to three miles away from the city. He is not opposed to ethanol. But, he is opposed to it on the Exeter site. He would not vote for it right now. Mr. Harper was here tonight. Three years ago Mr. Harper said what he could do for the City of Hopewell. None of those things have come to pass. Now he is encouraging an ethanol plant even while he is in a law suit with the City. In the past we have avoided making big decisions while some Councilors were away. It did cause concern. He does not think that we should come to judgment without a full Council concerning a situation as important as the ethanol plant. When we were meeting tonight the Mayor said there would be no action. We would just allow people the opportunity to speak at the public hearing. If there is a Special Meeting he is concerned about whether or not it is a requirement to have the full Council in attendance. He urged Council to allow the new City Manager to be in on a decision such as this. In another matter, Councilor Harris reported on the Juneteenth celebration of the 400<sup>th</sup> Anniversary of the ending of slavery in Virginia, on June 30, at the Petersburg National Battlefield, City Point Unit. He invited everyone to attend. In conclusion, he announced his own birthday on July 1 and he would be turning 83 years old.

Vice Mayor Pelham thanked the Sierra Club and the efforts of Councilor Bailey for the movie, "Happy Feet." She thanked Donna Tolliver-Walker for her work on a Taste of Hopewell. She also thanked Donna Tolliver-Walker, Herbert Bragg, and LuAnn Fortenberry who worked on the committee with her for all their efforts. Regarding HDC, Mr. Harper did propose townhouses to the City for the Exeter property. It was not accepted but it was offered. The Vice Mayor thanked people who spoke at the public hearing; her score was 14/13. After the letters were read she recorded 13 no and 23 yes. The ethanol plant is not a Hopewell thing; it is a global thing. The country must do something differently. We are an industrial city. It has sustained this little town for a long time. Two state representatives endorse it. We must ask ourselves, do we want to be ugly rich or pretty poor? She is concerned for her seven grandchildren who live in this city. School is out and she urged citizens to be careful for the children around the City. Friday, July 13, 2007 at 7:00 PM there will be a meeting at HHS about getting the Lord's Prayer back in school. All are welcome to attend.

Councilor Emerson corrected one comment - he will vote on the ethanol issue and not abstain. He asked the Interim City Manager to check with the City Attorney how to stop a vote changing the Harper Agreement without all of Council present. Administration was asked to provide a study of the best and highest use of that property. He is disappointed that there will be a Special Meeting without him.

Vice Mayor Pelham stated that the Lead Center will be placed on Sixth Street. She never heard that from administration until now. Some Councilors know and others know, and some Councilors don't know; it is always happening. It builds distrust. City Manager Daley is coming in but there is no way to bring this Council together. It must happen from within.

Mr. Altman reported that he had advised Council of the Lead Center in previous Council meetings. Today he was informed about the one-half (1/2) miles radius issue. Administration will conduct due diligence on this project.

Councilor Cuffey apologized to Councilor Emerson about anything that he may have said; his comments were not intended to be personal. We should be able to put the information on the table. There has been resistance. He respects everyone. The City Attorney feels that the City should follow through with litigation; that is his opinion. We should be able to present something; vote and move on. He feels that he did nothing out of place by bringing this to the table.

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Councilor Bailey commented: (1) Whatever discussion happens later in the week, no final decision will be taken anyway. (2) She pointed out that Council has been considering the idea of an ethanol plant on the Exeter site for over one year. It came up last summer. It was something that all of Council was looking at a year ago. Councilor Cuffey brought it out for open discussion two weeks ago. Two months ago she brought it out in a letter to the editor. She was not encouraged to continue to bring it out to the public. Council has for months been talking about an ethanol plant on the Exeter site. Ethanol plant - Osage - approached the City first. The City directed them to go to HDC. If they negotiate a contract it must be with HDC. We should not be having bad feelings with a certain developer.

Mayor Taylor wished everyone a Happy Fourth of July. Regarding the possibility of a Special Meeting, Councilor Sealey will be away next week, and Councilor Emerson will also be out of town next week. He encouraged any Special Meeting to be delayed until at least July 9 or 10.

### **ADJOURN**

At 12:12 PM, **motion** was made by Councilor Sealey, and seconded by Councilor Cuffey, to adjourn the meeting. Upon the roll call, the vote resulted:

Vice Mayor Pelham	-	yes
Councilor Cuffey	-	yes
Councilor Bailey	-	yes
Councilor Harris	-	yes
Councilor Emerson	-	yes
Councilor Sealey	-	yes
Mayor Taylor	-	yes

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Steven R. Taylor, Mayor

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Ann M. Romano, City Clerk